

MAY 08 2015

U.S. DISTRICT COURT
MID. DIST. TENN.

Defendants.

No. 1:13-cv-109
Senior Judge Haynes
Jury Demand

1. Dr Duane Smoot, Plaintiff's Gastroenterologist, warned him that if he does not continue taking medication to treat his Barrett's and GERD, his esophagus could suffer further damage and could even become cancerous. He also stated that with medication and cancer monitoring, Plaintiff would likely be fine.
2. While the "lost" medical records may have been due to carelessness and neglect, Plaintiff's transfer was unquestion-

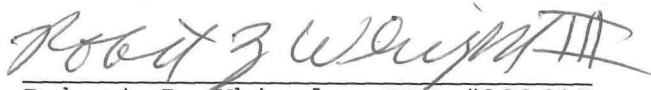
ably retaliation for protected conduct.

3. On April 17, 2015, two agents from Defendant Schofield's office met with Plaintiff and told him, in no uncertain terms, that he would be transferred to another prison as a result of his complaints, grievances, and lawsuits. See Whipple v. Rochelle, U.S.D.C. (M.D.Tenn.), No. 1:15-cv-40, ¶¶ 74-77.
4. The relief requested poses no burden to defendants whatsoever in that medication is normally dispensed the third business day after it is prescribed, while Plaintiff is at risk of irreparable harm if he is denied medication.

WHEREFORE, premises considered, Plaintiff respectfully requests that this Court issue an order, to remain in effect during the pendency of this action, requiring prison officials to dispense any and all medications prescribed within seven (7) calendar days. Such order to apply to prescription written or recommended by prison physicians as well as specialist physicians treating Plaintiff for Barrett's and GERD.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of May, 2015


Robert Z. Whipple, III #399615
BCCX Site 2
1045 Horsehead Road
Pikeville, TN 37367

CERTIFICATE OF SERVICE

Plaintiff hereby certifies that a copy of the foregoing has been placed in the U.S. Mail, first class postage prepaid, to:

Arthur Crownover II
TN Attorney General's Ofc.
P. O. Box 20207
Nashville, TN 37202-0207

Gail Vaughn Ashworth
Wiseman Ashworth Law Group
511 Union Street, Ste 800
Nashville, TN 37219-1743



Robert Z. Whipple, III #399615
Plaintiff, pro se

May 6, 2015

RE: WHIPPLE v SCHOFIELD, No 1:13-cv-109, Judge Haynes

Court Clerk
U.S. District Ct.
801 Broadway, Room 800
Nashville, TN 37203

Dear Clerk:

Enclosed please find my Amended Motion for Preliminary Injunction. An extra front page is enclosed, please stamp and return in the SASE.

Thank you,

Robert Z. Whipple III

Robert Z. Whipple, III
Plaintiff

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Robert Whipple 399615
BCC X Site 2
1045 Horsehead Rd
Nashville, TN 37367

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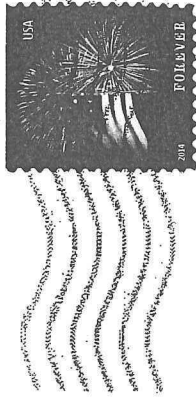
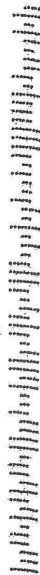
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U. S. District Court
801 Broadway, Room 800
Nashville, TN 37203

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

